

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

KENNETH WELCH,	:	
	:	5:07-cv-162 (CAR)
Petitioner,	:	
	:	
vs.	:	HABEAS CORPUS
	:	28 U.S.C. § 2254
TONY HENDERSON,	:	
	:	
Respondent.	:	

***ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE***

Before the Court is a Report and Recommendation (Doc.13) from United States Magistrate Judge Claude W. Hicks, Jr., that recommends granting Respondent's Motion to Dismiss the Petition as Untimely (Doc. 8). No objections have been filed within the time allowed. Nevertheless, pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Motion and the Recommendation. As throughly explained by the Magistrate Judge, because Petitioner did not challenge his conviction until more than eighteen months after his conviction became final, the instant petition is untimely. Accordingly, the Recommendation is **ACCEPTED**, Respondent's Motion to Dismiss the Petition as Untimely is **GRANTED**, and Petitioner's Habeas Corpus Petition is **DISMISSED**.

SO ORDERED, this 11th day of March, 2008.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

SCS/ssh